

**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE LANDS DIVISION**

**INVITATION FOR BIDS FOR THE LEASE OF STATE LAND
LOCATED IN BALDWIN COUNTY, ALABAMA**

Notice is hereby given pursuant to Code of Alabama, 1975, Section 9-15-70 et seq. that sealed bids for the lease of state property will be received by the State Lands Director until October 15, 2009 at 2:30 p.m., at which time all bids will be publicly opened and read in the office of the State Lands Division, Department of Conservation and Natural Resources, Room 464, Folsom Administrative Building, Montgomery, Alabama 36130-1901.

The Alabama State Lands Division of the Department of Conservation and Natural Resources is offering for lease the Bartram Landing Building located at 30841 Five Rivers Boulevard, Spanish Fort, Baldwin County, Alabama for the sole purpose of operating a canoe and kayak rental/sales facility.

If the building is leased, the lease will be subject to the following provisions:

- 1) The lease period for the Bartram Landing Building will be for an initial term of five (5) years with an option for lessee to renew, at the discretion of the Department of Conservation, State Lands Division, for an additional five (5) year term. During the term of the lease, the annual rental payment will increase each year by three percent (3%) of the previous year's rental rate.
- 2) The minimum services to be provided by lessee shall be (a) canoe and kayak rentals to the general public; (b) canoe and kayak instructional classes offered to the general public; (c) guided canoe and kayak trips for the general public; (d) shuttle services to accommodate guided trips; (e) retail sales of premium quality new canoes and kayaks; (f) retail sales of canoe and kayak related goods and services; and (g) marketing/educational support for the 5 Rivers Center, including, but not limited to: paddle sport general education and outreach programming provided free to the public (minimum 4 programs per year); holding of at least one free "demo day" per year at the facility; planning and publicizing at least 4 paddle events each year (such as a wintertime full-moon paddle, a monthly "group guided tour," etc.); provision to 5 Rivers Delta Center of professionally printed rack cards with service and pricing information; and provision of rental kayaks for occasional VIP and media tours originating at 5 Rivers (expected frequency 3-4 times per year). Any rentals, sales, or services beyond these minimums must be approved by the State Lands Division.
- 3) Lessee must maintain the following minimum inventories of rental and retail sales goods: At least 6 canoes of 14 foot minimum length and 10 kayaks of general recreational category must be available on the premises for rental at all times. Lessee's inventory must be comprised of at least three canoe/kayak brands of a premium quality.

A minimum of 2 canoes and 6 kayaks of premium quality must be maintained for sale at the facility at all times. Retail sale canoes may not be counted as "rental" canoes. Additionally, lessee must maintain canoe and kayak accessory goods (i.e., paddles, PFD's, carriers, etc) minimally valued for retail sale at \$5,000 at all times.

4) Lessee may not offer for retail sale any items which are not directly related to canoe and kayak sporting activities, without express written permission from the State Lands Director. The State Lands Division will have the right to prohibit the sale of any item(s) it seems to be inappropriate and/or offensive. Lessee shall not sell retail gift items which are featured at the 5 Rivers Cypress Gift Store.

5) Lessee shall maintain regular hours of operation seven days a week from 8:00 a.m. until 5:00 p.m. Extended hours of operation (e.g., before 8:00 a.m. or after 5:00 p.m.) must be approved by the 5 Rivers Delta Center. Operation during holidays, except New Years Day, Easter, Thanksgiving Day and Christmas Day is expected.

6) Lessee is permitted to exclusively occupy the Bartram Landing building and the storage space located directly under the building. All interior fixtures and furnishings are to be provided by Lessee, at its expense, and are subject to Lessor's approval. Exterior porches of the building shall not be used for vending machines of any type or for ice making machines.

7) All employees of the lessee shall be required to reflect a neat, clean appearance and conduct themselves in a pleasant, helpful, cheerful manner. Employees must wear logoed uniform clothing appropriate for current weather conditions as prescribed by Lessee and approved by the State Lands Division.

8) Lessee shall be responsible for providing its own telephone and electrical utilities, which specifically includes electrical costs associated with public bathrooms at the facility, lighting of "Bartram Landing" parking lot and a segment of street lighting for limited time periods each day. Lessee will not be responsible for either the cleaning or maintenance of public restrooms at the facility.

9) Lessee may make non-exclusive use of the public parking lot adjacent to the "Bartram Landing" facility building.

10) Lessee may make non-exclusive use of the canoe/kayak launching public pier and dock, but may not charge patrons for the use thereof.

11) Lessee and its employees must comply with all rules, regulations and policies of the State Lands Division.

12) Lessee must maintain comprehensive general liability insurance in the amount of \$1 million, covering all its operations, which policy must name the Alabama State Lands Division as an additional insured.

13) Lessee must also maintain a performance bond or irrevocable, standby letter of credit in the penal sum of \$4,500 in the event of the breach of the lease by Lessee.

14) The lease may not be assigned without prior written approval from the Department of Conservation, State Lands Division and will be subject to a \$250.00 assignment fee.

15) Lessee will be required to report data on a monthly basis to the 5 Rivers Delta Center on the number of canoe/kayak rentals and guided tours conducted from the facility. Lessee must also provide monthly data on the number of participants in activities referenced in item number 2(g) above.

All bids must be for the total amount of the First Year's Annual Rent being offered. The MINIMUM BID for the Bartram Landing building is \$9,000.00.

Each bid submitted must be accompanied by a certified or cashier's check in the amount of \$1,800.00 as a bid deposit made payable to the State Lands Division which will be forfeited if the bid is accepted and the Bidder does not complete the transaction. Any bid submitted without such check will not be considered. Unsuccessful bidders' deposits will be returned promptly following the bid opening. The successful bidder's deposits will be applied to the lease rental of the successful bid. Rental payments shall be made in twelve (12) equal installments over the course of each year the lease is in effect.

Each bid submitted must be clearly marked on the outside of the envelope "SEALED BID FOR BARTRAM LANDING BUILDING, CANOE AND KAYAK RENTAL/SALES FACILITY, BALDWIN COUNTY, ALABAMA, NOT TO BE OPENED UNTIL OCTOBER 15, 2009 AT 2:30 P.M." and mailed to: State Lands Division, Room 464, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama 36130.

NO BID SHALL BE RECEIVED FOR ANY REASON ANY TIME AFTER THE ADVERTISED DEADLINE.

The successful bidder must complete the transaction within 30 days of award or forfeit the bid deposit. Specification of a minimum bid amount to be considered does not suggest acceptance of any bid which may equal or exceed that amount. The State does not warrant nor guarantee title to the lands herein advertised or otherwise warrant or guarantee the condition of any improvements thereto.

This lease bid opening is conducted pursuant to the provisions of the Alabama Land Sales and Leasing Act (Act 95-280) and/or other laws of the State of Alabama governing this transaction whether or not included in this notice. The State reserves the right to reject any or all bids and further reserves the right to negotiate a higher lease value with the highest bidder. No lease may be made at a price less than the highest bid received or published minimum, whichever is highest.

The Department of Conservation and Natural Resources does not discriminate on the basis of race, color, religion, age, gender, national origin, or disability in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

The property may be inspected before October 15, 2009 at 2:30.p.m., by contacting the State Lands Division. Persons desiring further information regarding this lease may contact the State Lands Division at the above address or by telephone at (334) 242-3484.



Patricia J. Powell
State Lands Director

9/14/09
DATE